

FORM 'J'
See rule 36(1)

COMPLAINT TO AUTHORITY
Complaint under section 31 of the Act

For use of Authority(s) office :

Date of filing : 2/15/2020

Date of receipt by post : _____

Complaint No. : COM000300

Signature : _____

Authorized Officer : _____

IN THE HOUSING INDUSTRY REGULATORY AUTHORITIES OFFICE

Calcutta Greens Commercial Complex (1st Floor), 1050/2, Survey Park, Kolkata-700075

Between
AMIT MODI Complainant(s)
And
Usashi Realstates Private limited Respondent(s)

Details of claim :

- Particulars of the complainant(s) :
 - Name of the complainant : AMIT MODI
 - Address of the existing office / residence of the complainant : FLAT-3,3RD FLOOR,PARIJAT APARTMENT,44 MILAN PALLY AIRPORT GATE 2, North 24-Parganas, Dumdum, Dum Dum, 700079
 - Address of the service of all notice : FLAT-3,3RD FLOOR,PARIJAT APARTMENT,44 MILAN PALLY,AIRPORT GATE 2
Near Milan Pally Club,Kol-700079
- Particulars of the respondents:
 - Name(s) of the respondent : Usashi Realstates Private limited
 - Office address of the respondent : 81, Golaghata, VIP Road, Flat-1B, Radhakunja Apartment, Near Bika Banquet,Kolkata-700048,West Bengal 700048
 - Address for service of all notices : 81, Golaghata, VIP Road, Flat-1B, Radhakunja Apartment, Near Bika Banquet,Kolkata-700048,West Bengal 700048
- Jurisdiction of the Authority :
- The complainant declares that the subject matter of the claim falls within the jurisdiction of the Authority. Facts of the case:

Usashi Realstates Pvt Ltd launched multiple real estate project during 2016-2017 year by campaigning in leading newspaper using leading celebrities. I, Amit Modi, booked a 3 BHK flat in one of their many projects, called Usashi King town New town in 2017 by paying 25% (Rs 482686) of the total cost. The sales agreement was also made in same year. HIRA regulation was about to come in coming months. When I discussed with the developers about their HIRA registration, they said they will get their project registered as soon as HIRA is effective in West Bengal. But till today they have not registered in HIRA. As they were not able to follow the HIRA law, I don't feel secured for my invested money and wanted to cancel the booking as they have violated the HIRA law by not registering their project with the regulator authority till date.

(give a concise statement of facts and grounds for complaint)

5. Relief(s)

In view of the facts mentioned in paragraph 4 above, the complainant prays for the following relief(s) :
I want refund of my full invested money along with applicable interest as per HIRA regulation.

(Specify below the relief(s) claimed explaining the grounds of relief(s) and the legal provisions (if any) relied upon)

Amit Modi
15-02-2020

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6. Interim order, if prayed for:

Pending final decision on the complaint the complainant seeks issue of the following interim order:

(Give here the nature of the interim order prayed for with reasons)

7. Complainant not pending with any other court, etc:

The complainant further declares that the matter regarding which this complaint has been made is not pending before any court of law or any other authority or any other tribunal(s).

8. Particulars of bank draft in respect of the fee in terms of sub-rule (1) of rule 36:

- (i) Amount : 1000
- (ii) Name of the bank on which drawn : BillDesk Online Payment

9. List of enclosures :

(Specify the details of enclosures with the complaint)

Payment Proof bank cheque

Payment receipt

Sales Agreement

Sales Agreement

Usashi King Town Advertisement

Verification

I **AMIT MODI** son / daughter of **LAKSHMILAL MODI** the applicant do hereby verify that the contents of paragraphs (1 to 7) are true to my personal knowledge and belief and that I have not suppressed any material fact(s).

Place : *Kolkata*

Date : *15-02-2020*

Amit Modi

Signature of the applicant(s)